

SEC. 3114. INFRASTRUCTURE TRANSACTION AND ASSISTANCE NETWORK.

(a) **AUTHORITY.**—The Secretary of State is authorized to establish an initiative, to be known as the “Infrastructure Transaction and Assistance Network”, under which the Secretary of State, in consultation with the other relevant Federal agencies, including those represented on the Global Infrastructure Coordinating Committee, may carry out various programs to advance the development of sustainable, transparent, and high-quality physical and digital infrastructure in the Indo-Pacific and Latin America and Caribbean regions by—

(1) strengthening capacity-building programs to improve project evaluation processes, regulatory and procurement environments, and project preparation capacity of countries that are partners of the United States in such development;

(2) providing transaction advisory services and project preparation assistance to support sustainable infrastructure; and

(3) coordinating the provision of United States assistance for the development of infrastructure, including infrastructure that utilizes United States manufactured goods and services, and catalyzing investment led by the private sector.

(b) **TRANSACTION ADVISORY FUND.**—As part of the “Infrastructure Transaction and Assistance Network” described under subsection (a), the Secretary of State is authorized to provide support, including through the Transaction Advisory Fund, for advisory services to help boost the capacity of partner countries to evaluate contracts and assess the financial, environmental, and digital security impacts of potential infrastructure projects, including through providing services such as—

(1) legal services;

(2) project preparation and feasibility studies;

(3) debt sustainability analyses;

(4) digital vulnerability analyses;

(5) bid or proposal evaluation; and

(6) other services relevant to advancing the development of sustainable, transparent, and high quality infrastructure.

(c) **STRATEGIC INFRASTRUCTURE FUND.**—

(1) **IN GENERAL.**—As part of the “Infrastructure Transaction and Assistance Network” described under subsection (a), the Secretary of State is authorized to provide support, including through the Strategic Infrastructure Fund, for technical assistance, project preparation, pipeline development, and other infrastructure project support.

(2) **JOINT INFRASTRUCTURE PROJECTS.**—Funds authorized for the Strategic Infrastructure Fund should be used in coordination with the Department of Defense, the International Development Finance Corporation, like-minded donor partners, and multilateral banks, as appropriate, to support joint infrastructure projects in the Indo-Pacific and Latin America and Caribbean regions.

(3) **STRATEGIC INFRASTRUCTURE PROJECTS.**—Funds authorized for the Strategic Infrastructure Fund should be used to support strategic infrastructure projects that are in the national security interest of the United States and vulnerable to strategic competitors.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated, for each of fiscal years 2022 to 2026, \$125,000,000 to the Infrastructure Transaction and Assistance Network, of which \$35,000,000 is to be provided for the Transaction Advisory Fund.

SA 1896. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr.

SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

After section 2645, insert the following:

SEC. 2645A. ESTABLISHMENT OF COMMERCIAL SMALLSAT DATA PROGRAM.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Section 60501 of title 51, United States Code, states that the goal of the Administration’s Earth science program is “to pursue a program of Earth observations, research, and applications activities to better understand the Earth, how it supports life, and how human activities affect its ability to do so in the future”.

(2) Section 50115 title 51, United States Code, directs the Administrator to acquire space-based and airborne Earth remote sensing data, services, distribution, and applications from a commercial provider.

(3) In 2019, the Administrator established the Commercial SmallSat Data Acquisition Pilot Program to identify, evaluate, and acquire data from commercial sources that support NASA’s Earth science research and application goals, and NASA has—

(A) determined, in its 2020 final evaluation entitled “Commercial SmallSat Data Acquisition Program Pilot Evaluation Report”, that the program has been a success;

(B) expanded its procurement arrangements with commercial vendors to provide Earth remote sensing data and imagery to NASA-funded scientists; and

(C) sought to increase the number of commercial vendors, expand acquisition of commercial data products, and broaden user access despite a lack of corresponding growth in the program’s budget.

(b) **ESTABLISHMENT OF COMMERCIAL SMALLSAT DATA PROGRAM.**—

(1) **IN GENERAL.**—Chapter 603 of title 51, United States Code, is amended by adding at the end the following:

“§ 60307. Commercial SmallSat Data program

“(a) **ESTABLISHMENT.**—Not later than 90 days after the date of the enactment of this section, the Administrator shall establish within the Earth Science Division of the Science Mission Directorate a program, to be known as the ‘Commercial SmallSat Data Program’ (referred to in this section as the ‘Program’), to procure and disseminate commercial Earth observation data and imagery.

“(b) **DATA PUBLICATION AND TRANSPARENCY.**—The terms and conditions of commercial remote sensing data acquisitions under the Program may not prevent the publication of—

“(1) data for scientific purposes; or

“(2) information that enhances the original data of a vendor.

“(c) **FUNDING.**—The Administrator may obligate such sums as necessary—

“(1) to procure from commercial vendors the remote sensing data and imagery necessary to advance NASA scientific research and applications; and

“(2) to establish or modify end-use license terms and conditions to allow individuals other than NASA-funded users to use such procured data and imagery.

“(d) **REPORT.**—Not later than 180 days after the date of the enactment of this section, and annually thereafter, the Administrator

shall submit to the appropriate committees of Congress a report that includes the following:

“(1) A list of all vendors that provide remote sensing data and imagery to NASA.

“(2) The end-use license terms and conditions for each such vendor.

“(3) A description of the manner in which each such vendor is advancing scientific research and applications, including the priorities recommended in the decadal surveys of the National Academies of Sciences, Engineering, and Medicine.

“(4) A determination as to whether the Administrator has entered into any agreement with a commercial vendor or any other civilian agency that permits the use of data and imagery by Federal Government employees, contractors, or non-Federal users.”.

(2) **CONFORMING AMENDMENT.**—The table of sections for chapter 603 of title 51, United States Code, is amended by inserting after the item relating to section 60306 the following:

“60307. Commercial SmallSat Data program.”.

SA 1897. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2515 and insert the following:

SEC. 2515. RESTRICTIONS ON NUCLEAR COOPERATION WITH THE PEOPLE’S REPUBLIC OF CHINA.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the document entitled “U.S. Policy Framework on Civil Nuclear Cooperation with China” (PF 2019-03), which was issued on October 11, 2018, places necessary and appropriate restrictions on nuclear cooperation with the People’s Republic of China and should, therefore, remain in force.

(b) **REPORTS ON MODIFICATIONS TO RESTRICTIONS.**—

(1) **REQUIREMENT.**—Not later than 60 days before the date on which the Secretary of Energy seeks to modify any restriction on the transfer of United States civil nuclear technology to the People’s Republic of China, the Secretary of Energy, with the concurrence of the Secretary of State and after consultation with the Nuclear Regulatory Commission, the Secretary of Commerce, and the Secretary of Defense and review by the Director of National Intelligence, shall submit to the appropriate committees of Congress a report on such modification, including a description of, and explanation for, the modification.

(2) **FORM.**—Each report submitted under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) **REVIEW OF PRIOR NUCLEAR COOPERATION AND ASSOCIATED IMPACTS.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate—

(A) a review of nuclear cooperation during the 10-year period ending on the date of the enactment of this Act between the United

States Government and the People's Republic of China, including the role of the Department of State in facilitating such cooperation; and

(B) assessing the implications of the cooperation described in subparagraph (A) on the national security of the United States.

(2) ELEMENTS.—In conducting the review and assessment under paragraph (1), the Comptroller General shall examine all nuclear cooperation activities between the United States Government and the People's Republic of China during the 10-year period ending on the date of the enactment of this Act, including—

(A) all trips relating to nuclear cooperation taken by officials of the United States Government to the People's Republic of China;

(B) all exchanges of goods, services, data, or information between officials of the United States Government and the Government of the People's Republic of China or any entity owned or controlled by that Government or organized under the laws of the People's Republic of China;

(C) all instances in which officials of the United States Government hosted officials from, or significantly tied to, the Government of the People's Republic of China or any entity described in subparagraph (B).

(3) DEADLINE AND REPORT.—Not later than 2 years after Comptroller General initiates the review and assessment under paragraph (1), the Comptroller General shall—

(A) complete the review and assessment; and

(B) submit to the appropriate committees of Congress a report containing the results of the review and assessment, which shall be unclassified but, if necessary, may include a classified annex.

(4) PUBLICATION.—Not later than 60 days after the date on which the Comptroller General submits the report required by paragraph (3), the Comptroller General shall make the report publicly available in an easily accessible electronic format, with appropriate redactions for information that, in the determination of the Secretary of Energy, would be damaging to the national security of the United States if disclosed.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit—

(1) United States commercial activities that are consistent with the laws and regulations of the United States; or

(2) limited diplomatic engagement or dialogue—

(A) including regarding protection of the intellectual property and trade secrets of United States persons; and

(B) except for any diplomatic engagement or dialogue relating to or aimed at facilitating the transfer of nuclear technology.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives.

(2) NUCLEAR COOPERATION.—The term “nuclear cooperation” means cooperation with respect to nuclear activities, including the development, use, or control of atomic energy, including any activities involving the processing or utilization of source material, byproduct material, or special nuclear material (as those terms are defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)).

(3) NUCLEAR COOPERATION ACTIVITIES.—The term “nuclear cooperation activities” means activities relating to nuclear cooperation.

(4) RESTRICTION ON THE TRANSFER OF UNITED STATES CIVIL NUCLEAR TECHNOLOGY TO THE PEOPLE'S REPUBLIC OF CHINA.—The term “restriction on the transfer of United States civil nuclear technology to the People's Republic of China” includes the 2018 United States Policy Framework on Civil Nuclear Cooperation with China of the Department of Energy.

SA 1898. Mr. MENENDEZ (for himself, Mr. MERKLEY, Mr. RUBIO, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division C, add the following:

SEC. 33. ADMISSION OF CERTAIN HONG KONG RESIDENTS.

(a) SHORT TITLE.—This section may be cited as the “Hong Kong Safe Harbor Act”.

(b) DESIGNATION OF CERTAIN RESIDENTS OF HONG KONG AS PRIORITY 2 REFUGEES.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall designate, as Priority 2 refugees of special humanitarian concern, the following categories of aliens:

(A) Individuals who are residents of the Hong Kong Special Administrative Region who suffered persecution, or have a well-founded fear of persecution, on account of their peaceful expression of political opinions or peaceful participation in political activities or associations.

(B) Individuals who have been formally charged, detained, or convicted on account of their peaceful actions as described in section 206(b)(2) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5726).

(C) The spouses, children, and parents (as such terms are defined in subsections (a) and (b) of section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) of individuals described in subparagraph (A) or (B), except such parents who are citizens of a country other than the People's Republic of China.

(2) PROCESSING OF HONG KONG REFUGEES.—The processing of individuals described in paragraph (1) for classification as refugees may occur in Hong Kong or in a third country.

(3) ELIGIBILITY FOR ADMISSION AS REFUGEES.—An alien may not be denied the opportunity to apply for admission as a refugee under this subsection primarily because such alien—

(A) qualifies as an immediate relative of a citizen of the United States; or

(B) is eligible for admission to the United States under any other immigrant classification.

(4) FACILITATION OF ADMISSIONS.—An applicant for admission to the United States from the Hong Kong Special Administrative Region may not be denied primarily on the basis of a politically motivated arrest, detention, or other adverse government action taken against such applicant as a result of the participation by such applicant in protest activities.

(5) EXCLUSION FROM NUMERICAL LIMITATIONS.—Aliens provided refugee status under this subsection shall not be counted against

any numerical limitation under section 201, 202, 203, or 207 of the Immigration and Nationality Act (8 U.S.C. 1151, 1152, 1153, and 1157).

(6) REPORTING REQUIREMENTS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Homeland Security shall submit a report regarding the matters described in subparagraph (B) to—

(i) the Committee on the Judiciary of the Senate;

(ii) the Committee on Foreign Relations of the Senate;

(iii) the Committee on the Judiciary of the House of Representatives; and

(iv) the Committee on Foreign Affairs of the House of Representatives.

(B) MATTERS TO BE INCLUDED.—Each report required under subparagraph (A) shall include—

(i) the total number of applications that are pending at the end of the reporting period;

(ii) the average wait-times for all applicants who are currently pending—

(I) employment verification;

(II) a prescreening interview with a resettlement support center;

(III) an interview with U.S. Citizenship and Immigration Services; or

(IV) the completion of security checks; and

(iii) the number of denials of applications for refugee status, disaggregated by the reason for each such denial.

(C) FORM.—Each report required under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(D) PUBLIC REPORTS.—The Secretary of State shall make each report submitted under this paragraph available to the public on the internet website of the Department of State.

(7) SATISFACTION OF OTHER REQUIREMENTS.—Aliens granted status under this subsection as Priority 2 refugees of special humanitarian concern under the refugee resettlement priority system shall be considered to satisfy the requirements under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) for admission to the United States.

(c) WAIVER OF IMMIGRANT STATUS PRESUMPTION.—

(1) IN GENERAL.—The presumption under the first sentence of section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) that every alien is an immigrant until the alien establishes that the alien is entitled to nonimmigrant status shall not apply to an alien described in paragraph (2).

(2) ALIEN DESCRIBED.—

(A) IN GENERAL.—An alien described in this paragraph is an alien who—

(i) is a resident of the Hong Kong Special Administrative Region on February 8, 2021;

(ii) is seeking entry to the United States to apply for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158); and

(iii)(I) had a leadership role in civil society organizations supportive of the protests in 2019 and 2020 relating to the Hong Kong extradition bill and the encroachment on the autonomy of Hong Kong by the People's Republic of China;

(II) had an organizing role for such protests;

(III) acted as a first aid responder for such protests;

(IV) suffered harm while covering such protests as a journalist;

(V) provided paid or pro-bono legal services to 1 or more individuals arrested for participating in such protests; or